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TO: Examiner Yogesh C. Garg
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GAU 3625
Fax: 571-273-8300 (Central Fax Server)

FROM: Robert H. Frantz
Franklin Gray Patents, LLC
Tel: 405-812-5613
Fax: 405-440-2465

DATE: January 14, 2005

PAGES: 18 (inclusive)

In re the Application of:

Janani Janakiraman)

Serial Number: 09/944,518)

Group: 3625

Docket Number: AUS920010653US1)

Examiner: Yogesh C. Garg

Filed on: 08/31/2001)

For: "Dynamic Content Configuration for
Microbrowsers by State, Resource Allocation
and User Preferences")

Certificate of Transmission under 37 CFR §1.8

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DATE: August 16, 2005

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Robert H. Frantz, Reg. No. 42,553

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PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0851-0032

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Effective on 12/09/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 500.00

Complete if Known

Application Number	09/944,518
Filing Date	08/31/2001
First Named Inventor	Janani Janakiraman
Examiner Name	Yogesh C. Garg
Art Unit	3625
Attorney Docket No.	AUS920010653US1

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METHOD OF PAYMENT (check all that apply)
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☒ Deposit Account Deposit Account Number: 09-0447 Deposit Account Name: Int'l Business Machines

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
- 20 or HP = _____ x _____ = _____		
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
- 3 or HP = _____ x _____ = _____		
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fees Paid (\$)</u>
- 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Petition to Revoke under 37 CFR 1.137(a)Fees Paid (\$)\$500.00**SUBMITTED BY**

Signature	<u>Robert Frantz</u>	Registration No. (Attorney/Agent)	42,553	Telephone	405-812-5613
Name (Print/Type)	Robert H. Frantz	Date	08/16/2005		

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/61 (07-05)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)	Docket Number (Optional) AUS920010653US1
<p>First Named Inventor: Janani Janakdraman Application Number: 09/944,518 Filed: 08/31/2001 Title: Dynamic Content Configuration for Microbrowsers by State, Resource Allocation and User Preferences</p> <p>Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p style="text-align: center;">NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.</p> <p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.</p> <p style="text-align: center;">APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION. NOTE: A grantable petition requires the following items:</p> <ol style="list-style-type: none"> (1) Petition fee. (2) Reply and/or issue fee. (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and (4) Adequate showing of the cause of unavoidable delay. <p>1. Petition fee</p> <p><input type="checkbox"/> Small entity – fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input checked="" type="checkbox"/> Other than small entity – fee \$ <u>500.00</u> (37 CFR 1.17(l)).</p> <p>2. Reply and/or fee</p> <p>A The reply and/or fee to the above-noted Office action in the form of _____ (identify the type of reply):</p> <p><input checked="" type="checkbox"/> has been filed previously on <u>January 14, 2005</u></p> <p><input checked="" type="checkbox"/> is enclosed herewith.</p> <p>B The issue fee of \$ _____</p> <p><input type="checkbox"/> has been filed previously on _____</p> <p><input type="checkbox"/> is enclosed herewith.</p>	

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(e). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/61 (07-05)

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)****3. Terminal disclaimer with disclaimer fee**

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

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Robert Frantz
Signature

Aug. 16, 2005
Date

Robert H. Frantz

Typed or printed name

42,553

Registration Number, if applicable

P.O. Box 23324

Address

405-812-5613

Telephone Number

Oklahoma City, OK 73127

Address

- Enclosure ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☒ Additional sheets containing statements establishing unavoidable delay
- ☐ _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 272-8300.

8/16/2005
Date

Robert Frantz
Signature

Robert H. Frantz, Reg. No. 42,553

Typed or printed name of person signing certificate

PTO/SB/61 (07-05)

Approved for use through 07/31/2006. OMB 0851-0031

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

Robert Frantz

Signature

08/16/2005

Date

Robert H. Frantz

Typed or printed name

42,553

Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

In re the Application of:

Janani Janakiraman, docket number AUS920010653US1, serial number 09/944,518, filed 08/31/2001

Statement of the Facts Prior to Holding of Abandonment

- (1) Applicant's agent, Robert H. Frantz, received an Office Action dated 12/15/2004 setting a 1 month Shortened Statutory Period (SSP) for reply, making the formal reply due on 1/15/2005 without available extensions of time to reply.
- (2) A reply the Office Action was filed by facsimile on January 14, 2005, within the SSP for reply. A copy of the reply as faxed (now stamped in upper right hand corner as "COPY") accompanied by a Certificate of Transmission under 37 CFR §1.8, and with two forms of machine generated confirmation (our sending machine's confirmation and the USPTO's RightFax confirmation reply) are attached herewith. The confirmations indicate that all 11 pages of the reply were successfully received at 703-872-9306, which was the appropriate centralized fax number for receiving responses at the time the reply was transmitted.
- (3) On July 27, 2005, applicant's agent received a Notice of Abandonment in which it was noted that applicant had failed to timely reply to the Office Action mailed on December 15, 2005.
- (4) On August 15, 2005, applicant's agent submitted by Express Mail a request for reconsideration from the holding of abandonment under MPEP 711.03. Following deposit of the request in the mail, applicant's agent contacted Examiner Garg by telephone to let him know that the request was in the mail, at which time Examiner Garg stated that he would not reconsider the abandonment holding without a formal